

bulimia nervosa.

- A3  
cont.
39. A pharmaceutical composition as claimed in claim 14 for treatment of cerebral ischemia, selected from the group consisting of cerebral hippocampal ischemia; excitotoxic neuronal damage.
40. A pharmaceutical composition as claimed in claim 14 for treatment of social phobia, agoraphobia, or specific phobias (2)

#### REMARKS

A copy of claims 1, 2, 3, 13 and 14, showing the amendments thereto is attached as an Appendix.

A new paragraph has been inserted on page 1 to set out the applications from which benefit is claimed. This application was filed prior to November 29, 2000 so that no petition is required. In any case priority claims were made on the declaration filed on this application.

On the issue raised in paragraph 7 of the action, it is pointed out that Application Serial No 09/254387 is a U.S. national stage entry of International Patent Application PCT/IB95/00437 which was filed on June 6, 1995. Since 35 USC 363 provides that such International Application has, with one exception, "the effect of a national patent application" it is submitted that the declaration properly set out the date of June 6, 1995 as the filing date of Serial No 09/254387 and that no new declaration is required.

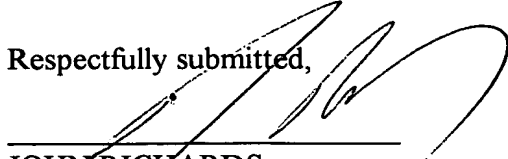
The rejections under 35 USC 112 have been met. In most cases, the corrections made are self-evident. References to Z groups and Formulae I and III have been deleted as being irrelevant to what is now claimed. So far as the use of the terms "alkyl", "alkylene", "cycloalkyl" and "cycloalkylene" including unsaturation is concerned, page 36 lines 3 to 5 make it clear that the use of these terms in the present application was in some cases intended to include unsaturated groups. In an effort to meet the examiner's concerns, where appropriate, the term "hydrocarbyl" and its derivatives has been used to replace the terms questioned by the Examiner in those definitions where the original text makes it clear that the group in question is one where reference is made to the presence of possible double or triple bonds, namely the R<sub>1</sub> (alkyl, alkylene, cycloalkyl, cycloalkylene and heterocycloalkyl), R<sub>2</sub> (alkyl, alkylene, cycloalkyl, cycloalkylene and heterocycloalkyl), R<sub>4</sub> (alkyl and alkylene) R<sub>5</sub> (alkyl and alkylene). New claim 29 is based on language that was included in claim 1 as filed as being "especial" possibilities as R<sub>24</sub> and R<sub>25</sub>.

The rejection under 35 USC 102 is respectfully traversed. As noted above, the present application claims the benefit of Application Serial No 09/254387 which has a filing date of June 6, 1995. This date is prior to the publication date of WO 95/33750. Furthermore, even if this

were not the case, it is pointed out that the present applicant is the same person as the author of WO/9533750 so that it is simply not possible for this document to disclose the same invention as now claimed on a date prior to the present applicant's having made such invention.

In view of the foregoing it is believed that this application is now in order for allowance. An early action to this end is respectfully solicited. If the Examiner believes it would be useful to discuss this matter either personally or in a telephone interview, he is requested to let us know so that this can be arranged.

Respectfully submitted,



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